

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JASMINE ELLIS, TYREL BEERY, MICHELLE LIEBE, JENNIFER (RUBY) CHAVEZ, JILL BRANDT, and ELIZABETH TARRIES,

Plaintiffs,
v.

OREGON HEALTH AND SCIENCE
UNIVERSITY,

Defendant.

Case No.: 3:23-cv-01555-JR

ORDER

Adrienne Nelson, District Judge

United States Magistrate Judge Jolie A. Russo issued Findings and Recommendation in this case on April 1, 2024. Judge Russo recommended that this Court grant the above-named defendant's Motion to Dismiss, ECF [6]. No party has filed objections.

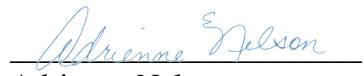
A district court judge may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). If any party files objections to a magistrate judge's proposed findings and recommendations, "the court shall make a de novo determination of those portions of the report." *Id.* If no objections are filed, then no standard of review applies. However, further review by the district court *sua sponte* is not prohibited. *Thomas v. Arn*, 474 U.S. 140, 154 (1985). The Advisory Committee notes to Federal Rule of Civil Procedure 72(b) recommend that unobjected to proposed findings and recommendations be reviewed for "clear error on the face of the record." Fed. R. Civ. P. 72(b) advisory committee's note to 1983 amendment.

Because no party in this case has made objections, this Court reviews Judge Russo's Findings and Recommendation for clear error on the face of the record. Finding no such error, the Court ADOPTS Judge Russo's Findings and Recommendation, ECF [16]. Accordingly, defendant's Motion to Dismiss, ECF [6], is GRANTED. Plaintiffs Jasmine Ellis, Michelle Liebe, Jennifer (Ruby) Chavez, and Jill Brandt have failed to state a plausible claim for relief under Title VII, and thus, their claims are

dismissed without prejudice and with leave to amend. In the event that plaintiffs elect to file an amended complaint, they must do so within fourteen (14) days of this Order. Plaintiffs' claim under Oregon Revised Statute § 659A.030, as voluntarily agreed to by all plaintiffs, is DISMISSED with prejudice.

IT IS SO ORDERED.

DATED this 16th day of May, 2024.



Adrienne Nelson
United States District Judge